

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

98-cr-0452 (LAK)

PETER MONSANTO,

Defendant.

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ORDER

LEWIS A. KAPLAN, *District Judge.*

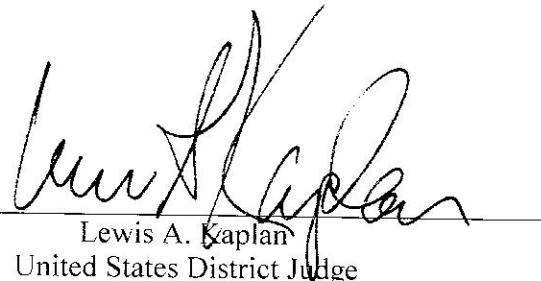
Peter Monsanto was convicted in 1988 after a six month trial before the late Judge Robert J. Ward of multiple felony counts and sentenced principally to a term of life imprisonment plus additional terms of imprisonment consecutive to the life sentence. 87-cr-555. In this case, he was convicted in 2000 on his plead of guilty of one count of use of a telephone in connection with a narcotics conspiracy and sentenced principally to a term of imprisonment of 96 months. The judgment of conviction did not specify whether that term of imprisonment would be concurrent with or consecutive to the sentence imposed by Judge Ward. The Court assumes for the purposes of discussion that the term in this case as a matter of law therefore is consecutive to the term in no. 87-555.

On November 23, 2020, Monsanto moved before Judge Preska in 87-cr-555 for compassionate release. The letter motion made no mention of the conviction in this case. In any event, Judge Preska granted Monsanto's motion by order dated February 2, 2021. The Bureau of Prisons, however, has questioned whether Monsanto can be released in view of the undischarged sentence in this case.

I have reviewed Judge Preska's compassionate and well reasoned decision. I treat Monsanto's application in 87-cr-555 for compassionate release as having been made in this case as well. And for the reasons set forth by Judge Preska, I grant the motion. Absent any detainers or other undischarged sentences, Monsanto shall be released from imprisonment forthwith.

SO ORDERED.

Dated: February 4, 2021


Lewis A. Kaplan
United States District Judge